

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MARK DAVIS, et al., on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

Case No. 3:17-cv-820-MMH-PDB

MARK S. INCH, in his official
capacity as an employee of the
Florida Department of Corrections,
et al.,

Defendants.


ORDER

THIS CAUSE is before the Court on the notices filed by Joseph Jordan, a named Plaintiff in this action. See Notices (Docs. 116, 122, 128, 133, 138), filed November 22, 2021, through January 13, 2022. In these Notices, Jordan asserts that Florida Department of Corrections (FDC) staff members have retaliated against him due to his role as a named Plaintiff in this case, and that one staff member in particular has continued to harass him for reporting the alleged retaliation. Jordan asks the Court to “instruct the Federal Bureau of Investigation (FBI) to investigate these matters,” see December 30, 2021

Notice (Doc. 133) at 1-2, or to otherwise “empower someone outside of the FDC to investigate these instances,” see January 13, 2022 Notice (Doc. 138) at 4.

To the extent Jordan asks the Court to instruct the FBI to investigate his complaints, Jordan is advised that such relief is unavailable as the Court lacks the authority to compel the FBI to initiate an investigation. See Piskanin v. John Doe, 349 F. App’x 689, 691 (3d Cir. 2009); Leisure v. FBI of Columbus, Ohio, 2 F. App’x 488, 490 (6th Cir. 2001); Jafree v. Barber, 689 F.2d 640, 643 (7th Cir. 1982). Nevertheless, the Court has confirmed that Class Counsel are aware of Jordan’s complaints and are taking his allegations of retaliation seriously. Class Counsel have assured the Court that they are monitoring the ongoing investigation into Jordan’s complaints and will bring the matter to the attention of the Court if necessary. The Court will take no further action at this time.

DONE AND ORDERED in Jacksonville, Florida, on January 24, 2022.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Joseph Jordan